

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JASON J. KING,

Plaintiff,

v.

ORDER

KILOLO KIJAKAZI,
Acting Commissioner of Social Security

20-cv-630-jdp

Defendant.¹

Stephen M. Sloan, counsel for plaintiff Jason J. King, moves under 42 U.S.C. § 406(b) for a fee award of \$12,194.28 after King was awarded \$48,777.12 in past-due benefits. Dkt. 27. Counsel's requested fee represents 25 percent of King's past-due benefits, so it falls within the amount allowed by statute and the parties' fee agreement. Dkt. 25-2. Counsel says that the commissioner has reviewed the fee award petition and does not oppose it. Dkt. 27, at 5.

The total amount of time that counsel's firm spent on this case for proceedings in this court was 31.7 hours, resulting in a proposed effective rate of \$384.68 per hour. Of the 31.7 hours, 25.5 hours were attorney time and the remainder was for counsel's legal and office assistants. Dkt. 25-4. Counsel's requested fee is well within the bounds of what is reasonable in light of counsel's risk of non-recovery, the work he performed, the results he obtained, and the amounts awarded in similar cases. The court will grant counsel's motion. For simplicity, the court will subtract the \$5,700.00 fee that counsel received under the Equal Access to Justice Act, which would otherwise have to be refunded to King.

¹ The court has updated the caption in accordance with Federal Rule of Civil Procedure 25(d).

ORDER

IT IS ORDERED that Stephen M. Sloan's motion for attorney fees under 42 U.S.C. § 406(b), Dkt. 27, is GRANTED. The court approve a representative fee of \$6,494.28.

Entered March 24, 2022.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge